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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

ROBERT TUCK, PATRICIA BERKOWITZ,

Plaintiffs,

vs.

WELLS FARGO HOME MORTGAGE; NDEX
WEST, LLC; DOES 1 through 50, inclusive,

Defendants.

Case No. C 12-4002 EDL

[Assigned for all purposes to Magistrate Judge
Donna M. Ryu]

**[PROPOSED] ORDER CONTINUING
ORDER TO SHOW CAUSE WHY
PRELIMINARY INJUNCTION SHOULD
NOT ISSUE AS MODIFIED**

Date: TBD
Time: TBD
Dept.: 4, 3rd Floor

ORDER

~~The *ex parte* application of Wells Fargo Bank, N.A., successor by merger with Wells Fargo Bank Southwest, N.A., formerly known as Wachovia Mortgage, FSB, formerly known as World Savings Bank, FSB, erroneously sued as Wells Fargo Home Mortgage ("Wells Fargo") came on for hearing on _____ at _____ m. in Courtroom 4 of the United States District Court, Northern District of California, located at 1301 Clay Street, Oakland, California 94612.~~

Having considered all of the papers and evidence submitted in connection with Defendant Wells Fargo Bank, N.A.'s *ex parte* application to continue hearing on the OSC re: why a preliminary injunction should not issue, and good cause showing, the Court rules as follows:

1) Wells Fargo's application to continue the hearing on the Order to Show Cause for a Preliminary Injunction originally set for hearing on September 7, 2012 is hereby GRANTED.

2) The Order to Show Cause hearing for a Preliminary Injunction is continued to **October 11, 2012, at 11:00 a.m.** in Courtroom 4.

3) Wells Fargo's Opposition shall be filed and served no later than fourteen (14) days prior to the date of the continued hearing.

Dated: August 30, 2012



Hon. Donna M. Ryu
Magistrate Judge, United States District Court